

FORCIBLE ENTRY AND DETAINER
(EVICTION)
INFORMATION FOR FILING

MEDIATION

Prior to the filing of your Forcible Entry and Detainer the Court recommends that you attempt to resolve the matter by utilizing the services of Mahoning Valley Dispute Resolution Services (MVDRS) at 330-744-4244. Their services are free of charge. Should they not be able to resolve this matter for you, you can then proceed to the filing of an eviction. You are not required to take this step and may proceed without contacting MVDRS.

ASSISTANCE

- Our clerks may provide you with blank forms necessary to file your Forcible Entry and Detainer and general court process in scheduling and conducting a hearing; however, our clerks are NOT permitted to instruct you how to complete the forms. Filings must be completed by 3:30 p.m.
- Please note that we are prohibited from the giving or rendering of legal advice pursuant to Ohio Revised Code Section 4705.01. If you need legal advice, you should contact an attorney or the Mahoning County Bar Association at 330-746-2933 for a referral.

FILING

- If you are filing on your own behalf, you do not need an attorney to file a Forcible Entry and Detainer; however, if you do not retain one, you assume ALL RESPONSIBILITY of the filing of your claim.
- The filing fee of \$125.00 is required at the time of filing. Each additional defendant (person you are evicting) costs \$30.00. For example, two (2) parties being served at the same address are two defendants the filing fee is \$155.00. If you are requesting a Second Cause for past due rent and other damages, the costs is \$30.00. The Court accepts cash, checks, cashier's checks, money orders, or credit/debit cards.
- Please provide the complete names and home addresses of all defendants (we **will not** serve an individual at their work address) (the Clerks cannot advise you of who to file against).
- You are required to file the correct number of copies. For example, one (1) defendant, you are required to provide four (4) copies, for two (2) defendants, you will be required to file six (6) copies.
- Only licensed attorney permitted to practice in the State of Ohio are permitted to file on behalf to and represent at hearing a corporations, limited liability company or any other entity, as required by Ohio Revised Code 4705.01. You are urged to contact an attorney.

JURISDICTION

- The defendant must live in the City of Struthers, Village of Poland, Township of Poland, Village of Lowellville, Township of Springfield or Village of New Middletown.

SERVICE/HEARING/JUDGMENT

- Your case will be set for hearing approximately 2-3 weeks from the date of filing and a copy of the complaint and hearing notice will be issued to either the appropriate police department or a court officer for personal or posted service as well as being issued to the United States Post Office proof of service.
- If you require a continuance of your scheduled hearing you will need to file a motion to continue with a certification (statement) that a copy has been mailed to the defendant or counsel, if any. The filing fee for a Motion to Continue is \$30.00. Please see our Court Rules for exceptions on the filing fee.
- There is a dress code for Court appearances. Persons appearing before the Court must be clean and appropriately dressed. Clothing shall have no rips or tears as well as no inappropriate slogans on any apparel. No t-shirts or midriff tops.
- If the defendant fails to appear at the time and date set by the Court, you will still need to present testimony and evidence establishing your right to an order for possession and may request a Writ of Restitution for the premises. Writs are served by our Court officer and the filing fee is \$65.00 which is due at the time the writ is requested. Requests for writs are to be in writing and must include a telephone contact for the Court to contact you.
- If you fail to appear, your case will be dismissed and you will be required to refile.
- If the matter is settled, you must provide a written notification/dismissal. The Court will not accept a phone call.
- Each party has thirty (30) days from the date of judgment in which to file an appeal.